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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,435	11/03/2003	Daniel P.H. Wu	14018 B	5604

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EXAMINER

ENGLE, PATRICIA LYNN

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/700,435

Applicant(s)

WU, DANIEL P.H.

Examiner

Patricia L Engle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

6. The term "magic tape" in claim 2 is an undefined term which renders the claim indefinite. The term "magic tape" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. What is magic tape? The Examiner consulted the

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Merriam-Webster's Collegiate Dictionary (10th Edition) and the specification and did not find a definition of magic tape.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson et al. (US Patent 5,456,957).

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Regarding claim 1, Jackson et al. disclose a shell structure for a vehicle, which comprises an outer shell (10) mounted on a inner shell (32), wherein the inner shell (32) is firmly fixed to the vehicle, serving as a screen to hide inside of the vehicle; on the outer side of the inner shell (32) a plurality of coupling members (30) disposed, the outer shell (10) covering the inner shell, on the internal side of the outer shell (10) corresponding to the positions of the coupling members on the inner shell a plurality of coupling members (28) disposed, with these coupling members, the outer shell can be quickly assembled or dismantled (this is not a structural limitation of the shell structure and the coupling member of Jackson et al. is capable of being quickly assembled) from the inner shell. Regarding the limitation that the vehicle is an electrocar, this limitation is merely an intended use of the shell structure, the structure of Jackson et al. meet the structural limitations of the body of the claim and is capable of being used on an electrocar (which is understood broadly to mean a vehicle run on electricity).

Regarding claim 4, Jackson et al. disclose that one embodiment of the shell structure is that the outer shell (10) mounted to the inner shell (32) by means of double sided tape (24,26).

Regarding claim 5, Jackson et al. disclose that one embodiment of the shell structure is that the outer shell (10) mounted to the inner shell (32) by means of a engaging means (28) and receiving means (30).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson et al. in view of Byrd et al. (US Patent 4,496,184).

Jackson et al. disclose the shell structure of claims 1.

Jackson et al. do not disclose that the coupling means could be magnets.

Byrd et al. discloses mounting a cover to a frame with a continuous connector such as VELCRO™ fasteners (hook and loop fasteners), adhesive tapes, oppositely polarized magnets, magnets and steel plates (column 4, lines 10-15).

Jackson et al. and Byrd et al. are analogous art because they are from a similar problem solving area, i.e., attaching an outer member to a frame.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to use magnets to attach the outer shell to the inner shell as it would merely involve the alternate utilization of an equivalent attachment means to achieve the same exact function.

Therefore, it would have been obvious to combine Byrd et al. with Jackson et al. to obtain the invention as specified in claim 3.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses other vehicles in which an outer panel is attached to an inner panel.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L Engle whose telephone number is (703) 306-5777.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patricia L Engle
Examiner
Art Unit 3612

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August 5, 2004